

Chapter 21

PUD OVERLAY DISTRICTS (PUD)

[adopted July 18, 2006]

[amended December 19, 2006]

16-21-010 TITLE-COTTONWOODS PUD OVERLAY DISTRICT

16-21-020 Purpose

The Cottonwoods PUD Overlay District is an area approximately 1,036 acres in size (Exhibit A, Legal Description), located on the eastern edge of the Mountain Green Master Plan Town Site. With its high level of visibility to residents and visitors alike, architectural integrity and quality design controls are crucial to implementing the County's goals and objectives. The Cottonwoods is a master-planned mixed use project with multiple architecturally compatible buildings. The purpose of the Cottonwoods PUD Overlay District is to allow substantial flexibility in planning and designing a proposal for land use development. This flexibility often occurs in the form of relief from compliance with conventional zoning ordinance site and design requirements. Ideally, this flexibility results in a development that is better planned, contains more amenities, and ultimately a development that is more desirable to live in than one produced in accordance with typical zoning and subdivision controls. These provisions are intended to create more attractive and more desirable environments within Morgan County and to encourage the following:

1. Allow creative use of the land and encourage the preservation of permanent open space and sensitive areas;
2. Permit and support higher development densities to encourage utilization of clustered neighborhoods;
3. Allow for the design of developments that are architecturally and environmentally innovative, and that achieve better utilization of the land than is possible through strict application of standard zoning and subdivision controls;
4. Permit developers to vary architectural styles and land use on a project-by-project basis, rather than on the basis of tunnel zoning and sprawl zoning concepts, in a manner that may provide for a limited additional development right in density or land use;
5. Permit developers to locate the various features of their developments in harmony with the natural features of the land;
6. To provide for accessible public open space and recreations space, schools, churches and private facilities;
7. To encourage preservation and protection of agricultural usage through the emphasis of the right to farm and by providing buffering between existing agricultural uses and higher density uses.

16-21-030 Permitted Uses

The following uses are permitted in accordance with the approved concept plan (attached hereto as Exhibit "B") and approved development agreement:

1. Attached and detached single family residential buildings and accessory structures;
2. Recreational uses and accessory buildings, such as trails, parks, tennis courts, community club house and swimming and other uses permitted as conditional uses. A community club house may include a small restaurant which shall include a seating capacity for not more than 52 patrons; and
3. Quasi Public Buildings, Public Schools, and Churches.

16-21-040 Conditional Uses

1. Golf Course and associated accessory uses, such as a driving range, club house/ restaurant upon satisfaction of the following conditions:
 - a. the Developer has demonstrated that the golf course shall have sufficient water rights to maintain the golf course as a public golf course; and
 - b. the approval of the golf course shall not reduce the required forty percent (40%) native and/or agricultural open space below the requirements set forth in this ordinance; provided, however, that if required, the Developer may convey to the master home owners association open space not currently included within the boundaries of the Cottonwoods PUD Overlay District, but is adjacent to the Cottonwoods PUD Overlay District in order to meet such open space requirements. If necessary the County may amend this ordinance and the approved development agreement to reflect such additional land as part of the Cottonwoods PUD Overlay District. The addition of such adjacent open space shall be subject to the platting requirements set forth in the Land Use Management Code.
2. Cabins consisting of twelve (12) or less Cabins and one (1) main lodge, which may be rented or leased as lodging, upon satisfaction of the following conditions:
 - a. each Cabin shall be a single story structure containing less than 1,600 usable square feet and shall contain parking for at least two vehicles;
 - b. the location for each such Cabin shall be shown on a site plan approved by the County Council pursuant to the process set forth above;
 - c. the main lodge may include such amenities as a customarily included in cottage type lodging including, a dining facility with a seating capacity for not more than 45 patrons, rental of outdoor recreation equipment and providing for guided tours;
 - d. any limitations on operations and use provided by the Land Use Management Code as recommended by the County Planning Commission and approved by the County Council; and
 - e. the main lodge shall contain a foot print of not more than 5,000 square feet.
3. Equestrian Facility upon satisfaction of the following conditions:
 - a. the Developer has submitted a site plan to the County Council as required by the procedures set forth above, which site plan shall depict the equestrian center and trails;
 - b. the equestrian center and related trails shall be available for the use and enjoyment of the general public upon payment of customary fees and charges; and
 - c. The equestrian center may include a barn, stables, workout areas and pasture and grazing areas and such other amenities approved by the County. The equestrian center shall be

developed at the time of the development of the phase in which the equestrian center is located.

16-21-050 Density

In accordance with the approved concept plan, and approved development agreement, 760 dwelling units (1.363 DU/acre) can be developed within the Cottonwoods PUD Overlay District. Additionally, in the event an eighteen (18) hole golf course is developed within the Cottonwoods PUD Overlay District, an additional thirty-eight (38) dwelling units may be developed within the Cottonwoods PUD Overlay District for a total of 798 dwelling units (1.298 DU/Acre). Except as set forth below, no single lot for a residential unit shall be less than 10,000 square feet. The Developer may develop mansion homes containing three to six units per parcel in the Meadow Village neighborhood, which homes may be built on lots smaller than 10,000 square feet. Base density and bonus densities established within the development agreement and concept approval may be used on any portion of the property, regardless of base zoning, provided such use is in accord with the development agreement and concept plan.

16-21-060 Development Standards

The Cottonwoods PUD District will provide design guidelines for the buildings, landscaping, parking, housing and signage located within the district boundaries. The Cottonwoods project is a master-planned mixed use development containing approximately 1036 acres of undeveloped land along the east bench of Mountain Green. The master plan provides for commercial and residential development in designated areas of the district in accordance with the development standards set forth herein.

- (1) All commercial buildings within the district will be required to obtain a conditional use permit.
- (2) Residential Development: A detailed site plan will be required for staff review and approval. Cottonwoods PUD Overlay District will be separate into phases and neighborhoods shown approximately on Exhibits C and D. Development of the residential component within the district shall comply with the following development standards:

Cottonwoods PUD District Building Requirements	Phase 2 Silver Mountain Estates	Phase 2, 3, 4 Cottonwood Hills	Phase 2, 3, 5 Cottonwood Meadows	Phase 5 Meadow Village
<u>Setbacks</u>				
Front	15'	20'	12'	15'
Side	10'	10'	10'	20'
Corner	20'	20'	20'	25'
Back	20'	20'	20'	20'
Garage	20' or 5' from front of house, unless side loaded	25' or 5' from front of house, unless side loaded	17' or 5' from front of house, unless side loaded	Motor Court
<u>Park Strip Width</u>	None	8'	5'	5'
<u>Sidewalk Width</u>	5'	4'	4'	4'
<u>Minimum House Size</u>				
Single Story	2300sf	1800sf	1500sf	n/a
2 Story Main/Upstairs	2000sf/500sf	1400sf/600sf	1200sf/500sf	n/a

Cottonwoods PUD District Building Requirements	Phase 2 Silver Mountain Estates	Phase 2, 3, 4 Cottonwood Hills	Phase 2, 3, 5 Cottonwood Meadows	Phase 5 Meadow Village
Garage Size	3 car min	2 car min	2 car min	2 car min
<u>Height Restrictions</u>				
Non Sensitive	35' from lowest finished grade	35' from lowest finished grade	35' from lowest finished grade	35' from lowest finished grade
Sensitive Upslope	30' & two stories	n/a	n/a	30' and two stories
Sensitive Downslope	30' & two stories	n/a	n/a	30' and two stories
Lot Restrictions			Lots 23-29 of Phase II Plat limited to single story	

Cottonwoods PUD District Building Requirements	Phase 5 Meadow Park	Phase 4 Stoneridge	Phase 6 Durst Mountain Ranch
<u>Setbacks</u>			
Front	10	17"	30'
Side	10	10'	20'
Corner	20	20'	30'
Back	15	20'	50'
Garage	9' Rear alley	17' or 5' from the front of house unless side loaded	35' or 5' from front of house unless side loaded
<u>Park Strip Width</u>	5'	None	None
<u>Sidewalk Width</u>	4'	5'	None
<u>Minimum House Size</u>			
Single Story	1500sf	3500sf	2300sf
2 Story Main/Upstairs	1200sf/500sf	2500sf/1000sf	1800sf/700sf
Garage Size	2 car min		3 car garage
<u>Height Restrictions</u>			
Non Sensitive	35' from lowest finished grade	35' from lowest finished grade	35' from lowest finished grade
Sensitive Upslope	n/a	n/a	n/a
Sensitive Downslope	n/a	n/a	n/a
Lot Restrictions			

Cottonwoods PUD District Building Requirements	Phase 7 Cottonwood Spring View	Phase 5, 8 Cottonwood Heights	Phase 9 Silverlake Estates
<u>Setbacks</u>			
Front	20'	30'	30'
Side	10'	20'	20'
Corner	20'	30'	30'
Back	20'	30'	30'
Garage	25' or 5' from front of house unless side loaded	35' or 5' from front of house unless side loaded	35' or 5' from front of house unless side loaded
<u>Park Strip Width</u>	8'	8'	5'
<u>Sidewalk Width</u>	4'	4'	4'
<u>Minimum House Size</u>			
Single Story	1800sf	2300sf	2300sf
2 Story Main/Upstairs	1500sf/600sf	2000sf/500sf	2300sf/1000sf
Garage Size	2 car min	3 Car min	
<u>Height Restrictions</u>			
Non Sensitive	35' from lowest finished grade	35' from lowest finished grade	35' from lowest finished grade
Sensitive Upslope	n/a	n/a	n/a
Sensitive Downslope	n/a	n/a	n/a
Lot Restrictions			

3. The right of way for public streets will be fifty-five feet wide.
4. Private cul-de-sacs may be longer than the public street standard, but shall not be longer than 1,500 feet.
5. The development of the Cottonwoods PUD Overlay District shall be limited by the requirements set forth in 16-04-770(a) of the Land Use Management Code.
6. The Cottonwoods PUD Overlay District shall maintain a minimum of forty percent (40%) preserved open space. Preserved open space is the sum of all land that is perpetually left naturally undeveloped or in agriculture.
7. The Cottonwoods PUD Overlay District shall maintain a minimum of ten percent (10%) usable open space. Usable open space is the portion of preserved open space that can be landscaped and is contained on slopes of fifteen percent (15%) or less. It is capable of being landscaped with berms, shrubs, and lawns for use as park like areas that compliment the development. It must contain no less than ten thousand square feet (10,000sf) of contiguous area in each open space parcel, unless ten thousand square feet (10,000sf) is more than the required ten percent (10%). It is not intended to be remnant pieces of land too small to be used

for anything that combined would have met the required amount of land. Usable open space may include space on residential lots which are subject to a public open space easement.

8. The Cottonwoods PUD Overlay District is required to preserve sensitive areas in open space. Sensitive areas include, but are not limited to, ridgeline/view-shed areas, areas of special interest or beauty, wetlands, fault zones, stream corridors, important wildlife areas, unstable soils, or any other environmental concern addressed in this ordinance, as detailed within the development agreement and PUD Overlay report.

16-21-070 Landscape Standards

The Cottonwoods PUD Overlay District and all phases will be landscaped with sensitivity to the natural environment. The landscaping shall be installed in accordance with a landscape plan submitted along with the residential site plan to be reviewed and approved by the staff and in accordance with the development agreement and PUD Overlay Report.

16-21-080 Parking Design

Commercial development within the Cottonwoods PUD District will require five parking stalls for every 1,000 square feet of retail or restaurant space. Each stall must measure at least nine feet (9') wide by eighteen feet (18') long, with ADA accessible stalls provided in accordance with established standards. Parking lot lighting shall provide adequate illumination and shall be no taller than thirty feet (30'), and shall conform to Night Sky regulations as detailed in the Development Agreement. Pedestrian corridors shall be identified by a change in color and/or texture of pavement material. Tree diamonds measuring 5 x 5 shall be installed throughout the parking areas.

16-21-090 Signage

The signage is an important component of the Cottonwoods PUD project. Exhibit "E" sets forth the sign criteria for the Cottonwoods PUD Overlay District.

16-21-100 Procedures

Approval of the PUD Overlay District Text shall constitute conceptual site plan approval for the Cottonwoods PUD District. Subsequent phases shall be approved as applications for subdivision approval, conditional use approvals, and any other permits shall be processed in accordance with the County requirements, ordinances and procedures.

1. Planning Commission Preliminary Plat Approval.

- a. Prior to commencing construction on any phase the Developer shall submit a preliminary plat, the applicable neighborhood declaration, construction drawings and specifications and all required submittals under the Land Use Management Code and the approved development agreement applicable to such phase to the County Planning Commission. Each plat submitted to the County Planning Commission shall comply with all technical platting requirements of the Land Use Management Code and subdivision ordinances. The Developer shall pay fees for each plat as are generally required by the County at the time of the submission of the plat to the County Planning Commission. Timing of said submission and review by County Staff prior to the Planning Commission shall be in accordance with the adopted Planning Department submittal deadline policy.

- b. The County Planning Commission shall review the plat and all required submittals associated with the applicable phase for completeness, and conformity with the approved development agreement and this ordinance. To the extent that such plat is complete and

consistent with the approved development agreement, this ordinance and all applicable federal, state and local laws, rules, regulations and ordinances, the County Planning Commission shall make a recommendation to the County Council for the approval of such plat. To the extent of a conflict between the provisions of this ordinance and another ordinance, this ordinance shall control. The County Planning Commission shall hold all duly noticed public hearings required for the approval of such plat under the Utah Code, the Land Use Management Code and other County ordinances, as applicable. In the event the County Planning Commission determines that such plat is incomplete or is inconsistent with this ordinance, the approved development agreement or all applicable federal, state and local laws, rules, regulations and ordinances, the County Planning Commission will provide Developer with a reasonably detailed description of any such inconsistencies, in which case Developer shall revise such plat to remediate any such inconsistencies and resubmit such plat to the County Planning Commission for approval pursuant to the process set forth above.

2. County Council Preliminary Approval of Plat.

Following the recommendation from the County Planning Commission that a plat be approved by the County Council pursuant to the procedures set forth above, such plat shall be submitted to the County Council for approval. The plat shall be approved provided that such plat is complete and complies with this ordinance, the approved development agreement and all applicable federal, state and local laws, rules, regulations and ordinances. The County Council shall review the plat for completeness, and conformity with this ordinance, the approved development agreement, all applicable federal, state and local laws, rules, regulations and ordinances. To the extent that such plat is complete and consistent with this ordinance, the approved development agreement, the Land Use Management Code, and all applicable federal, state and local laws and ordinances, the County Council shall approve the plat. The County Council shall hold all duly noticed public hearings required for the approval of such plat under the Utah Code, this ordinance, the Land Use Management Code, and other applicable County ordinances. In the event the County Council determines that such plat is not consistent with this ordinance or the approved development agreement, the County Council will provide the Developer with a reasonably detailed description of any such inconsistencies, in which case the Developer shall revise such plat to remediate any such inconsistencies and resubmit such plat to the County Council for approval pursuant to the process set forth above.

3. Final Plat Approval.

Following the preliminary approval of the plat by the County Council pursuant to the procedures set forth above, the County Council shall authorize the Developer to submit a final plat to the County Staff for review. The County Staff shall review a paper plat for completeness and conformance to the preliminary approval of the plat (including any conditions for approval). If such plat is complete and conforms to the preliminary approval, the County Staff shall authorize the Developer to submit a mylar copy of the final plat for approval. The Developer shall be responsible for obtaining all required signatures on the mylar with the exception of the County Planning Commission and County Council. The signed mylar shall be placed on the agenda of the County Planning Commission for review, approval and signature. Following receipt of the final plat signatures from the County Planning Commission, the County Staff shall place the mylar on the agenda for the County Council for signature and adoption. The final plat will then be released to the Developer for recordation.

4. Building Permits.

Following the recordation of the final plat, the Developer is authorized to sell lots in accordance with State and local law. The County Staff will issue building permits in accordance with this ordinance, the approved development agreement, the Land Use Management Code and applicable federal, state and local laws, rules, regulations and ordinances. Upon receipt of preliminary approval for a plat, the County Staff is authorized to issue building permits to enable the Developer to commence construction on the infrastructure in accordance with the preliminary plat, this ordinance, the approved development agreement, and all applicable federal, state and local laws, rules, regulations and ordinances. Additionally, in the event that the infrastructure for a particular phase is (a) dependent upon the construction of

infrastructure improvements on future phases (e.g., retention ponds on future phases or utility lines through future phases), or (b) the infrastructure would necessary continue onto the real property included in future phases (e.g. a road crossing all phases) and the completion of such infrastructure as a whole rather than in phases is justified by financial constraints and sound engineering principals, the County Staff is authorized to issue building permits for the construction of such improvements on such future phases. Building permits for dwelling units shall only be issued when required infrastructure for the applicable plat has been installed and inspected and approved by the County Engineer, which approval shall be limited to confirming that such infrastructure is completed in accordance with this ordinance, the approved development agreement, and all applicable federal, state and local laws, rules, regulations and ordinances. Notwithstanding the foregoing to the contrary, in the event that prevailing weather conditions would require a Developer to waive its warranty with respect to installing asphalt on roads in a phase, building permits for dwelling units may be issued without the completion of such roads, subject to the County's receipt of reasonable assurances that such roads shall be completed during the period that such warranty will not be waived. No permit shall be issued unless proof of approval from the architectural committee has been submitted to the County.

16-21-110 Effect of Ordinance

Approval of this Amendment constitutes a zoning change for the Cottonwoods PUD Overlay District.

16-21-120 Statement of Intent

The Cottonwoods Overlay District is intended to provide specific regulations or standards pertaining to specific geographic features or land uses, wherever these are located. Whenever there is a conflict between the regulations of a base zoning district and those of an overlay district, the overlay district regulations shall control.

EXHIBIT "A"

Cottonwoods PUD Overlay Zone District Legal Description

A parcel of land located in Sections 19, 20, 29 and 30 in Township 5 North, Range 2 East, Salt Lake Base and Meridian, being more particularly described as follows:

Beginning at the Center of Section 30, Township 5 North, Range 2 East, Salt Lake Base and Meridian, (Basis of bearing being South 88°42'14" East 1341.72 feet between the Center of Section and the South 1/4 corner of the Northeast corner of said Section 30) and running thence South 88°42'14" East 1336.65 feet; thence North 00°42'36" West 335.14 feet; thence North 76°23'47" East 32.94 feet; thence North 03°35'20" East 116.35 feet; thence North 00°57'41" West 470.92 feet; thence North 03°06'28" West 450.19 feet; thence North 03°10'42" West 248.07 feet; thence North 04°55'12" West 217.84 feet; thence South 85°04'48" West 42.16 feet; thence North 40°53'26" West 290.14 feet; thence North 32°23'57" West 139.58 feet; thence North 08°06'21" West 485.48 feet; thence South 89°29'51" West 20.18 feet; thence North 08°06'21" West 245.91 feet to a point of curvature of a 230.00 foot radius curve to the left, the center of which bears South 81°53'39" West; thence Northerly and Westerly along the arc of said curve 491.23 feet through a central angle of 122°22'16"; thence South 49°31'23" West 38.55 feet to a point of curvature of a 347.42 foot radius curve to the left, the center of which bears South 40°28'38" East; thence Southwesterly along the arc of said curve 118.83 feet through a central angle of 19°35'49"; thence South 29°55'33" West 313.18 feet; thence North 88°55'15" West 257.09 feet; thence North 46°46'42" East 3089.72 feet; thence North 52°17'58" East 511.81 feet; thence South 11°48'57" East 66.72 feet; thence North 55°15'08" East 577.92 feet; thence North 62°47'20" East 697.15 feet; thence North 59°15'48" East 905.16 feet; thence North 47°08'47" East 1225.38 feet; thence North 48°58'41" East 173.02 feet; thence North 41°01'19" West 367.66 feet; thence North 52°00'49" East 955.49 feet; thence South 89°40'57" East 1961.90 feet; thence South 38°44'36" West 3015.81 feet; thence South 08°00'08" West 2521.21 feet; thence South 70°45'46" East 639.64 feet; thence South 30°41'13" West 1174.86 feet; thence South 39°58'09" West 970.07 feet; thence South 55°28'09" West 1050.90 feet; thence South 65°28'09" West 323.36 feet; thence South 73°18'09" West 389.10 feet; thence South 44°04'10" West 432.30 feet; thence South 89°48'23" West 660.00 feet; thence South 00°25'51" East 2606.16 feet; thence South 00°42'11" West 3391.42 feet; thence South 80°42'47" West 1557.72 feet to a point on a non tangent 2353.60 foot radius curve to the left, the center of which bears South 78°24'09" West; thence Northwesterly along the arc of said curve 1900.32 feet through a central angle of 46°15'40" to a point of non tangent compound curvature of a 752.56 foot radius curve to the right, the center of which bears North 33°21'13" East; thence Northwesterly along the arc of said curve 594.31 feet through a central angle of 45°14'52"; thence North 01°51'26" West 738.77 feet; thence North 09°47'07" West 170.00 feet; thence North 79°47'56" East 25.81 feet; thence North 01°53'19" West 403.69 feet; thence South 79°57'31" West 219.14 feet; thence North 07°29'19" West 973.52 feet; thence North 02°32'09" East 713.67 feet; thence North 42°00'44" East 599.14 feet; thence North 27°19'53" West 128.18 feet; thence North 62°40'07" East 67.13 feet to a point of curvature of a 300 foot radius curve to the left (cord bears North 40°46'06" East 223.80 feet) 229.34 feet along said arc; thence North 00°00'00" West 581.05 feet to a point on the center of section line and on the South line of the Silver Stone Subdivision as recorded in the Morgan County Records Office; thence along said center of section line South 88°42'14" East 731.88 feet to the point of beginning.

Containing 1036.08 Acres more or less.

EXHIBIT "B"

Approved Concept Plan

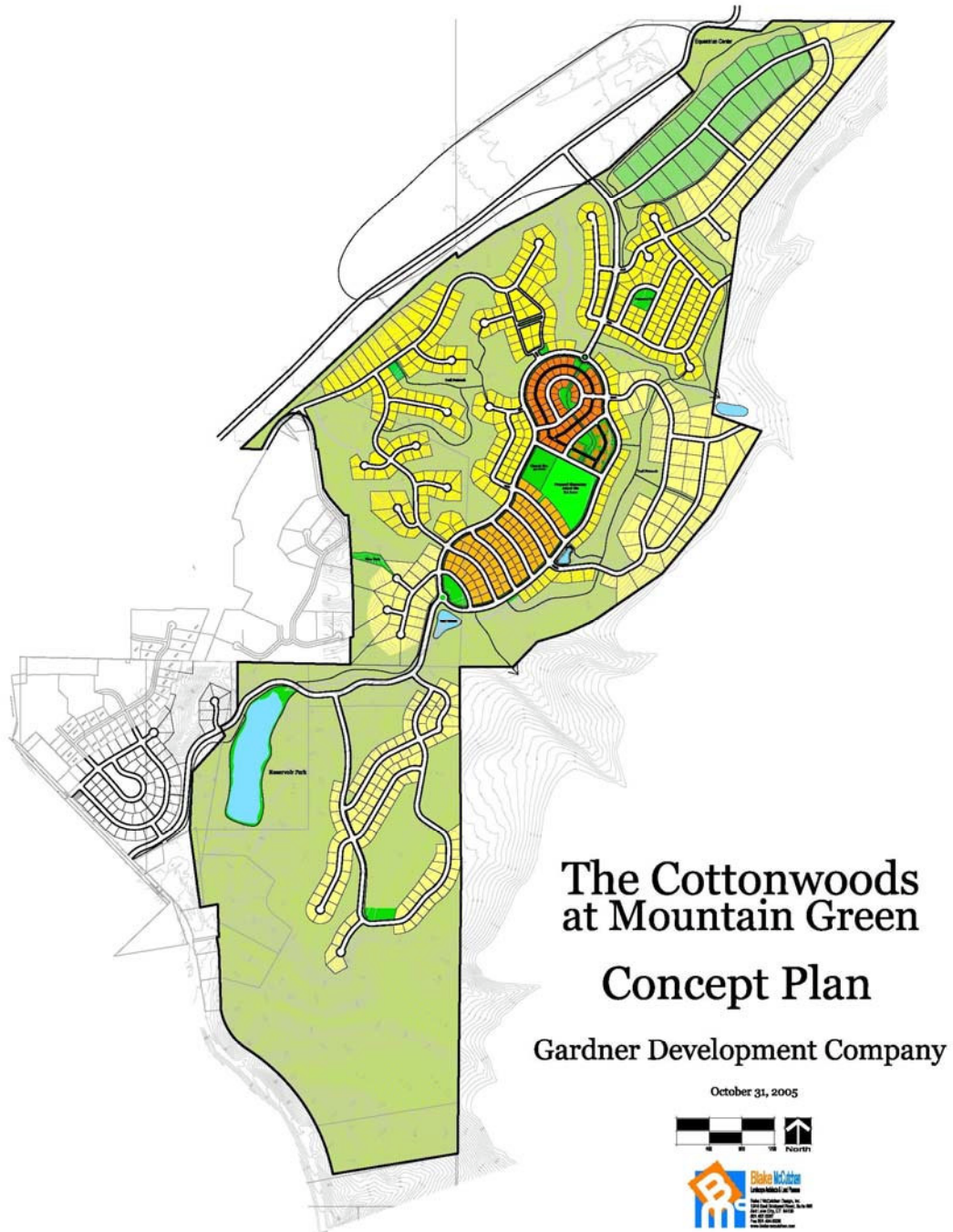


EXHIBIT "C"

Phases of Cottonwoods PUD Overlay District

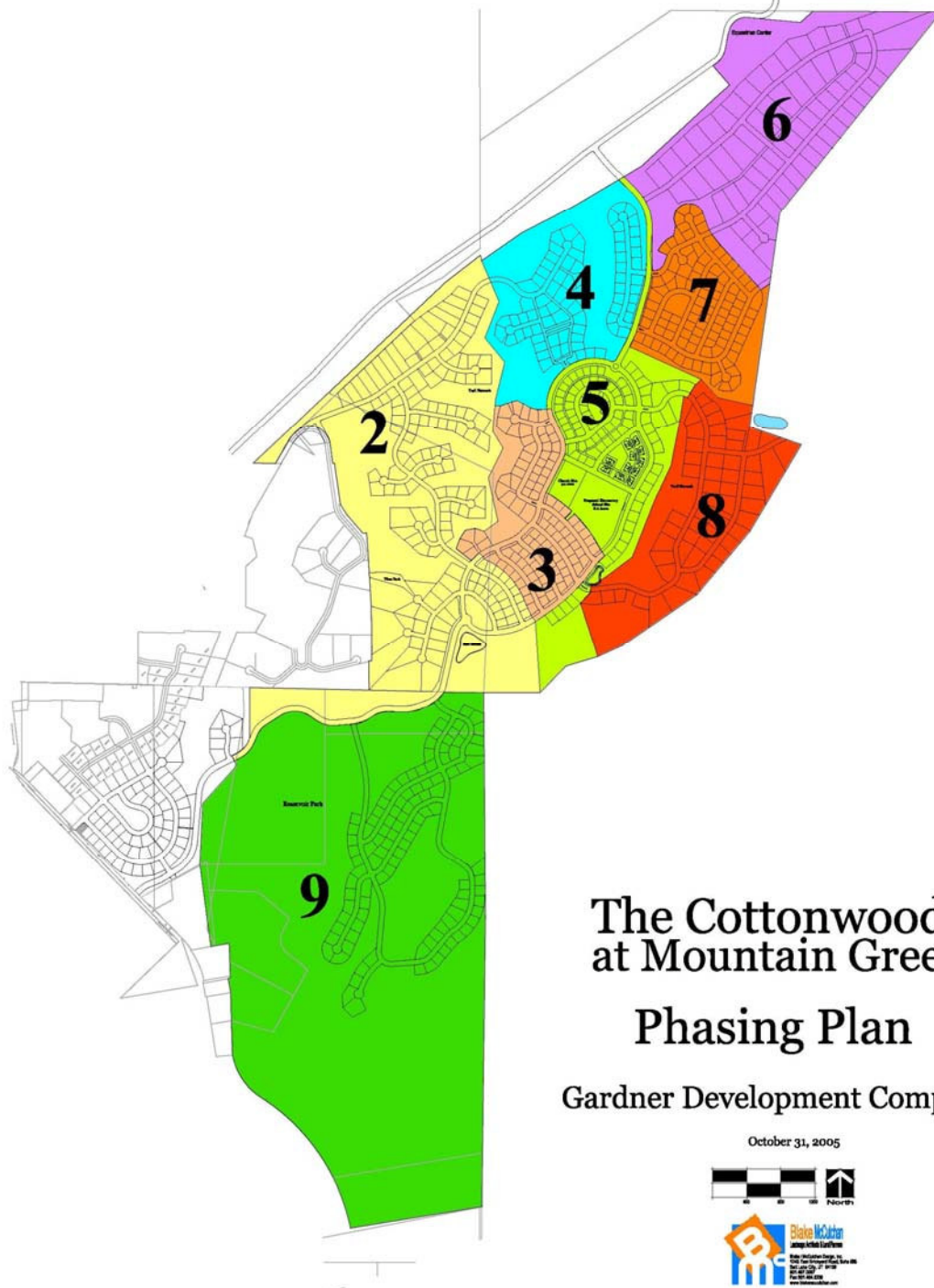


EXHIBIT "D"

Neighborhoods in Cottonwoods PUD District

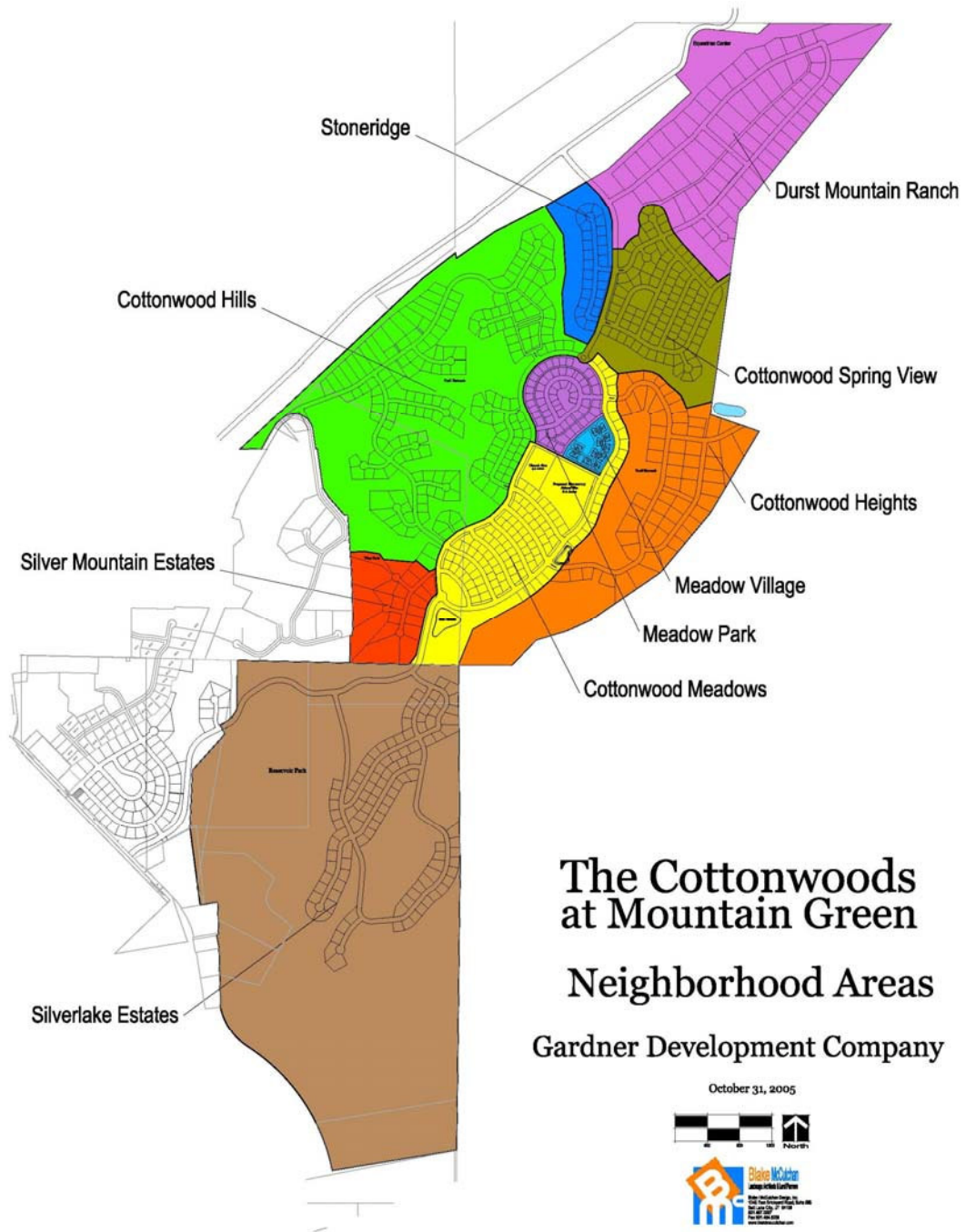


EXHIBIT “E”

Sign Criteria for Cottonwoods PUD District

(see original ordinance)

16-49-220 Purpose

The Coventry Cove PUD Overlay District is an area approximately 9.84 acres in size (Exhibit A, Legal Description), located on the eastern edge of the Mountain Green Master Plan Town Site. With its high level of visibility to residents and visitors alike, architectural integrity and quality design controls are crucial to implementing the County's goals and objectives. Coventry Cove is a master-planned mixed use project with multiple architecturally compatible buildings. The purpose of the Coventry Cove PUD Overlay District is to allow substantial flexibility in planning and designing a proposal for land use development. This flexibility often occurs in the form of relief from compliance with conventional zoning ordinance site and design requirements. Ideally, this flexibility results in a development that is better planned, contains more amenities, and ultimately a development that is more desirable to live in than one produced in accordance with typical zoning and subdivision controls. These provisions are intended to create more attractive and more desirable environments within Morgan County and to encourage the following:

8. Allow creative use of the land and encourage the preservation of permanent open space and sensitive areas;
9. Permit and support higher development densities to encourage utilization of clustered neighborhoods;
10. Allow for the design of developments that are architecturally and environmentally innovative, and that achieve better utilization of the land than is possible through strict application of standard zoning and subdivision controls;
11. Permit developers to vary architectural styles and land use on a project-by-project basis, rather than on the basis of tunnel zoning and sprawl zoning concepts, in a manner that may provide for a limited additional development right in density or land use;
12. Permit developers to locate the various features of their developments in harmony with the natural features of the land;

16-49-230 Permitted Uses

The following uses are permitted in accordance with the approved concept plan (attached hereto as Exhibit "B") and approved development agreement:

1. Single family residential buildings and incidental accessory uses;
2. Agricultural Storage, outdoor storage incidental to the operation of the adjacent Wilkinson Family Farm and only for as long as the Farm is owned by the Wilkinson Family. (Commercial lot B only)
3. Household pets
4. Fences within the backyard areas, maximum height of six (6) feet, no closer to the front property line than the front setback of the dwelling unit, materials to be approved by the CC&Rs.
5. Tilling of soil, raising of crops, horticulture and gardening.
6. Recreational uses (open space parcels)

16-49-240 Conditional Uses

1. Home Occupations

16-49-250 Commercial Lots A-D Conditional Uses

Uses not expressly permitted are deemed prohibited.

1. Those uses identified as permitted and conditionally permitted in the Neighborhood

Commercial District (C-N) shall be allowed as a conditional use with the exception of grocery stores, restaurants, cafes, or other establishments that serve alcohol, and pet boarding.

16-49-260 Density & Sensitive Lands

1. In accordance with the approved concept plan, and approved development agreement, 11 dwelling unit lots and 4 commercial lots can be developed within the Coventry Cove PUD Overlay District. Base density established within the development agreement and final approval may be used on any portion of the property, regardless of base zoning, provided such use is in accord with the development agreement and final plan.

2. In calculation of the density, the following areas have been declared sensitive and have been removed from the calculation of said base density: the stream channel and areas of slope greater than 25% as defined on the final plat. As well commercial lots have been excluded from calculation of base residential density.

16-49-270 Development Standards

The Coventry Cove PUD Overlay District will provide design guidelines for the buildings, landscaping, parking, housing and signage located within the district boundaries. The master plan provides for commercial and residential development in designated areas of the district in accordance with the development standards set forth herein.

(3) . All commercial buildings within the district will be required to obtain a conditional use permit.

(4) . Residential Development: A detailed site plan will be required for staff review and approval. The following standards shall be adhered to:

Lots 1-11	Front Setback-15 feet
	Side Setback-5 feet
	Rear Setback-15 feet

Maximum Height of 35 feet from the lowest final elevation to the highest roof line.

9. Streets within the Coventry Cove PUD Overlay Zone shall be designated private streets, owned and maintained by the Home Owners Association.

10. The development of the Coventry Cove PUD Overlay District shall be limited by the requirements set forth in 16-04-770(a) of the Land Use Management Code.

11. The Coventry Cove PUD Overlay District shall maintain a minimum of forty percent (40%) preserved open space. Preserved open space is the sum of all land that is perpetually left naturally undeveloped or in agriculture.

12. The Coventry Cove PUD Overlay District shall maintain a minimum of ten percent (10%) usable open space. Usable open space is the portion of preserved open space that can be landscaped and is contained on slopes of fifteen percent (15%) or less. It is capable of being landscaped with berms, shrubs, and lawns for use as park like areas that compliment the development. Usable open space may include space on residential lots which are subject to a public open space easement.

13. The Coventry Cove PUD Overlay District is required to preserve sensitive areas in open space. Sensitive areas include, but are not limited to, ridgeline/view-shed areas, areas of special interest or beauty, wetlands, fault zones, stream corridors, important wildlife areas, unstable soils, or any other environmental concern addressed in this ordinance, as detailed within the development agreement.

14. Frontage requirements for each lot shall be as detailed on the final plat.

16-49-280 Landscape Standards

The Coventry Cove PUD Overlay District and all phases will be landscaped with sensitivity to the natural environment. The landscaping shall be installed in accordance with a landscape plan submitted along with the residential site plan to be reviewed and approved by the staff and in accordance with the development agreement.

16-49-290 Parking Design

Commercial development within the Coventry Cove PUD District shall be provided in accord with the approved final plan. Each stall must measure at least nine feet (9') wide by eighteen feet (18') long, with ADA accessible stalls provided in accordance with established standards.

16-49-300 Signage

The signage is an important component of the Coventry Cove PUD project. Exhibit "C" sets forth the sign criteria for the Coventry Cove PUD Overlay District.

16-49-310 Procedures

Approval of the PUD Overlay District Text shall constitute preliminary site plan approval for the Coventry Cove PUD District. Conditional uses shall be processed in accordance with the County requirements, ordinances and procedures.

1. Final Plat Approval.

Following the Coventry Cove PUD Overlay Zone approval of the County Council shall authorize the Developer to submit a final plat to the County Staff for review. The County Staff shall review a paper plat for completeness and conformance to the preliminary approval of the plat (including any conditions for approval). If such plat is complete and conforms to the preliminary approval, the County Staff shall authorize the Developer to submit a mylar copy of the final plat for approval. The Developer shall be responsible for obtaining all required signatures on the mylar with the exception of the County Planning Commission and County Council. The signed mylar shall be placed on the agenda of the County Planning Commission for review, approval and signature. Following receipt of the final plat signatures from the County Planning Commission, the County Staff shall place the mylar on the agenda for the County Council for signature and adoption. The final plat will then be released to the Developer for recordation.

4. Building Permits.

Following the recordation of the final plat, the Developer is authorized to sell lots in accordance with State and local law. The County Staff will issue building permits in accordance with this ordinance, the approved development agreement, the Land Use

Management Code and applicable federal, state and local laws, rules, regulations and ordinances. Building permits for dwelling units shall only be issued when required infrastructure for the applicable plat has been installed and inspected and approved by the County Engineer, which approval shall be limited to confirming that such infrastructure is completed in accordance with this ordinance, the approved development agreement, and all applicable federal, state and local laws, rules, regulations and ordinances.

16-49-320 Effect of Ordinance

Approval of this Amendment constitutes a zoning change for the Coventry Cove PUD Overlay District.

16-49-330 Statement of Intent

The Coventry Cove Overlay District is intended to provide specific regulations or standards pertaining to specific geographic features or land uses, wherever these are located. Whenever there is a conflict between the regulations of a base zoning district and those of an overlay district, the overlay district regulations shall control.

EXHIBIT "A"

Coventry Cove PUD Overlay Zone District
Legal Description

A parcel of land lying and situate in the Southwest Quarter of Section 30, and the Northwest Quarter of Section 31, Township 5 North, Range 2 East, Salt Lake Base and Meridian, Morgan County, Utah. Comprising 9.84 acres of the Wilkinson Family Farm LLC parcel known as tax ID Number 02-005-120. Basis of Bearing for subject parcel being South 88°42'14" East 1342.01 (measured) between the number 5 rebar and cap stamped "MTN ENGINEERING" monumentalizing the Center of CE1/16 Corners of Section 30, Township 5 North, Range 2 East, Salt Lake Base and Meridian. Subject parcel being more particularly described as follows:

Commencing at the number 5 rebar and cap stamped "MTN ENGINEERING: monumentalizing the Center of said Section 30, thence North 88°42'14" West 1178.86 feet coincident with the center of section line of said Section 30; Thence SOUTH 2628.94 feet to a number 5 rebar and cap stamped "147581" and the Southwest corner of that particular parcel of land owned in fee simple by Christopher M. and Sandy Kay Wilkinson, and the True Point of Beginning; Thence the following two (2) courses coincident with the perimeter of said Wilkinson parcel (1) North 61°36'23" East 247.64 feet; (2) North 05°13'48" West 225.93 feet to a point on the Southwesterly line of "The Cottonwoods at Rose Hill Subdivision" according to the Official Plat thereof; Thence North 60°32'47" East 478.93 feet coincident with said Southwesterly line and the prolongation thereof to a number 5 rebar and cap stamped "PLS 356548"; Thence South 05°25'44" East 1006.59 feet to a number 5 rebar and cap stamped "PLS 356548", said point lying South 0.22 feet and West 0.84 feet of a number 5 rebar and cap stamped "ENSIGN" monumentalizing the Southeast corner of that certain "Wilkinson Rezone Parcel" as shown on that particular Boundary Survey filed as Survey Number 000387 in the Morgan County Recorder's Office; Thence South 80°02' 00" West 277.45 Feet to a number 5 rebar and cap stamped "147581" and a point on the arc of a 1005.40 foot non-tangent curve; Thence Northwesterly 173.91 feet coincident with the Northeasterly Right of Way Line of Old Highway 30 and along the arc of said 1005.40 foot non-tangent curve to the left (center bears South 55°53'43" West) through a central angle of 09°54'39" to a number 5 rebar and cap stamped "PLS 356548"; Thence North 44°07'19" West 469.42 feet coincident with said Right of Way Line to the point of beginning. Contains 9.84 acres more or less.

Approved Final Plan

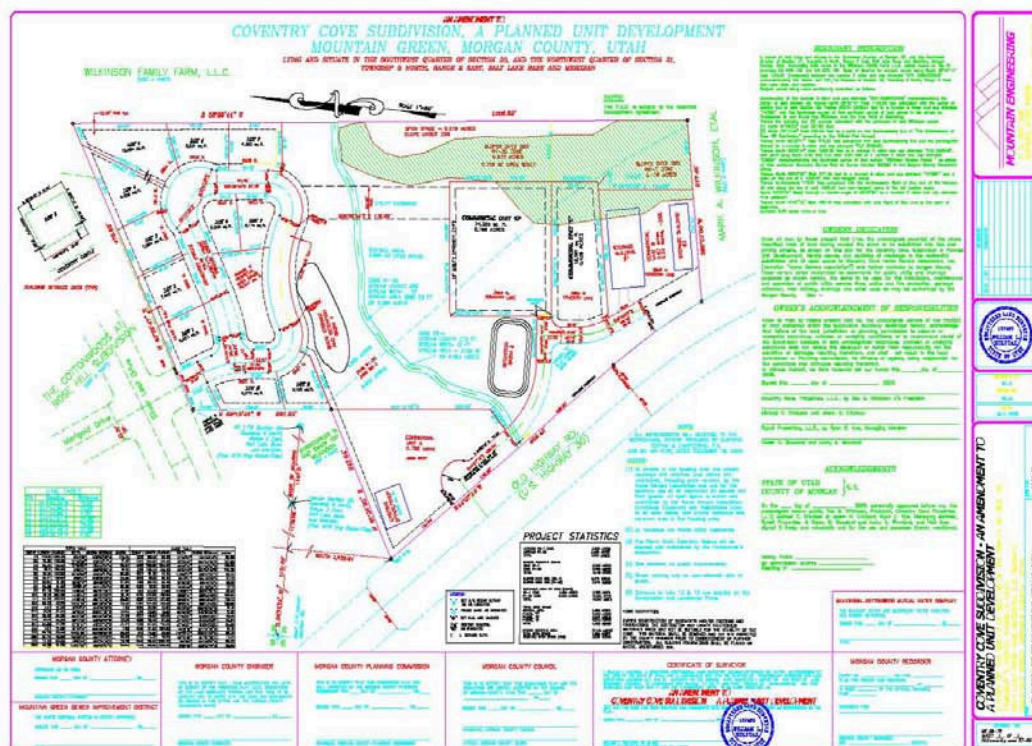


EXHIBIT “C”

Sign Criteria for Coventry Cove PUD District

(see original ordinance CO-06-23)